

**PROPOSED REGULATION OF  
THE SECRETARY OF STATE**

**LCB File No. R071-11**

September 26, 2011

AUTHORITY: Section 4, inclusive, NRS 78.795.

**Chapter 78 of the NAC is hereby amended by adding thereto the provisions set forth as sections 1– 21, inclusive, of this regulation.**

*Section 1. As used in sections 1 to 21, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 2 to 10, inclusive, of this regulation have the meanings ascribed to them in those sections.*

*Sec. 2. “Registered Agent” means the agent appointed pursuant to Title 7 of the Nevada Revised Statutes.*

*Sec. 3. “Registered Agent List” means the list maintained by the Secretary of State pursuant to NRS 78.795.*

*Sec. 4. “Entity” means any corporation, limited liability company, limited partnership or other entity required to have a registered agent and be on file with the Secretary of State pursuant to Title 7 of the Nevada Revised Statutes.*

*Sec. 5. “Full, Legal Name” means the name by which the registered agent is legally known on the records of the Secretary of State or as recorded as a “doing business as” (DBA) or fictitious name filing in the county in Nevada where the registered agent is located.*

*Sec. 6. “Street Address” of a registered agent means the actual physical location in this state at which a registered agent is available for service of process.*

**Sec.7. “Mailing Address” means the address in Nevada, such as a post office box, a registered agent may have, which may be different from its street address.**

**Sec. 8. “Registration” means the initial registration process a registered agent must undertake to be listed on the Registered Agent List.**

**Sec. 9. “Renewal” means the process by which an existing registered agent on the Registered Agent List may renew his registration.**

**Sec. 10. “Amendment” means the process by which a registered agent’s information may be changed on the List of Registered Agents.**

**Sec. 11. The provisions of Sections 1 to 21, inclusive, of this regulation are hereby declared to be severable. If any of the provisions of sections 1 to 21, inclusive of this regulation is held invalid, that invalidity does not affect any other provision of sections 1 to 21, inclusive, of this regulation that can be given effect without the invalid provision or application.**

**Sec. 12. A registered agent may register his willingness to serve as a registered agent by submitting a form prescribed by the Secretary of State. The form must be accompanied by the fee required by NRS 78.795 and must comply with all other requirements of NRS 78.795. The form may be rejected if incomplete.**

**The entity under which the Registered Agent operates must maintain active status with the Office of the Secretary of State.**

**Failure to maintain a status of good standing with the Office of the Secretary of State may result in the Register Agent’s eligibility to be listed to be revoked. If listing is revoked, no portion of the fee will be refunded.**

**The Secretary of State will notify each registered agent that is known not to be in good standing that it is in violation of this section. If the registered agent does not bring its status**

*into good standing, the Secretary of State shall revoke the registered agents listing. The Secretary of State shall notify the registered agent when and for what reason its listing has been revoked.*

**Sec. 13.** *A registered agent may amend its registration by submitting a form prescribed by the Secretary of State. The form must be accompanied by the fee required by NRS 78.795(3)(b) and must comply with all other requirements of NRS 78.795, and may be rejected if incomplete.*

**Sec. 14. 1.** *The Secretary of State will publish the list of Registered Agents annually each February.*

*2. Any registered agent who submits the Registered Agent Registration Form or Renewal Form and any associated fees during the open registration period of December 1 to December 31 each year, will be eligible to appear on the list published in the following February.*

**Sec. 15.** *A registered agent may register his willingness to serve as a registered agent at any time during the year, outside the open registration period, by submitting the form as provided by Section 12 and paying the full fee as prescribed by NRS 78.795. There is no proration of the fee. The registration will be effective for the remainder of the current year.*

**Sec. 16.** *A registered agent may expedite his Registered Agent Registration in a manner similar to the expediting of other documents filed in the Office of the Secretary of State and by paying the fees as provided in NRS Chapter 225 for expediting articles of incorporation.*

**Sec. 17.** *Upon receiving the Registered Agent Registration Forms as prescribed in Sections 12 and 15, the Secretary of State shall compile a list of those registered agents registering their willingness to serve as registered agents. This list shall be compiled and made available, in electronic form by February 1 of each year following the open registration/renewal period.*

**Sec. 18.** *Each year's list shall be valid until the subsequent year's list has been compiled and made available in electronic form. The list may be updated pursuant to Sections 12 and 15.*

**Sec 19.** *The list shall be organized in alphabetic order, with numbers placed in alphabetic order based upon their spelling. Foreign characters are not allowed in the name of a registered agent. If a symbol or number is present in the full, legal name of the registered agent, the spelling of the meaning of the symbol or the number will be considered for alphabetizing the list, i.e., & - and, @ - at, + - plus, 9-nine, and so on. Punctuation is not considered in determining the alphabetical order of the list.*

**Sec 20.** *Upon receiving an amendment to an existing registration or a new registration outside the registration period, the Secretary of State shall, as soon as reasonably possible, record the amendment or new registration and update the electronic version of the list.*

**Sec. 21.** *The Secretary of State shall make the list available, in electronic form, on his website. Printed versions may also be made available upon request to his office. A reasonable fee may be charged for printed copies of the list.*

**Sec 22. 1.** *A Registered Agent may withdraw its listing at any time by submitting a request in writing or electronic form to the Secretary of State and he shall, as soon as reasonably possible, remove the registered agents name from the list.*

**2.** *No portion of the fee will be refunded to the registered agent.*